

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT CHATTANOOGA**

UNITED STATES OF AMERICA)	
)	Case No. 1:19-cr-138
v.)	
)	Judge Travis R. McDonough
MARVIN DOUGLAS)	
)	Magistrate Judge Christopher H. Steger
)	
)	
)	

ORDER

U.S. Magistrate Judge Christopher H. Steger filed a report and recommendation (Doc. 23) recommending that the Court: (1) grant Defendant’s motion to withdraw his not-guilty plea to Count One of the one-count Indictment; (2) accept Defendant’s guilty plea to Count One of the one-count Indictment; (3) adjudicate Defendant guilty of knowingly and intentionally possessing, with the intent to distribute, 28 grams or more of a mixture and substance containing a detectable amount of cocaine base (“crack”), a Schedule II controlled substance, in violation of 21 U.S.C. §§ 841(a)(1) and 841(b)(1)(B); and (4) order that Defendant remain out of custody subject to the Order Setting Conditions of Release (Doc. 12) until sentencing in this matter or further order of this Court.

Neither party filed a timely objection to the report and recommendation. After reviewing the record, the Court agrees with Magistrate Judge Steger’s report and recommendation. Accordingly, the Court **ACCEPTS** and **ADOPTS** the magistrate judge’s report and recommendation (Doc. 23) pursuant to 28 U.S.C. § 636(b)(1) and **ORDERS** as follows:

1. Defendant's motion to withdraw his not-guilty plea to Count One of the one-count Indictment is **GRANTED**;
 2. Defendant's plea of guilty to Count One of the one-count Indictment is **ACCEPTED**;
 3. Defendant is hereby **ADJUDGED** guilty of knowingly and intentionally possessing, with the intent to distribute, 28 grams or more of a mixture and substance containing a detectable amount of cocaine base ("crack"), a Schedule II controlled substance, in violation of 21 U.S.C. §§ 841(a)(1) and 841(b)(1)(B); and
 4. Defendant **SHALL REMAIN** out of custody subject to the Order Setting Conditions of Release (Doc. 12) until sentencing in this matter, which is scheduled to take place on **June 5, 2020, at 2:00 p.m.** before the undersigned, or until further order of this Court.
- SO ORDERED.**

/s/ Travis R. McDonough

TRAVIS R. MCDONOUGH
UNITED STATES DISTRICT JUDGE